

STATE OF MAINE
PUBLIC UTILITIES COMMISSION

Docket No. 2001-149

May 30, 2001

CENTRAL MAINE POWER COMPANY
Request for Approval of First Amendment
To Special Rate Contract with Mead
Oxford Corporation

ORDER

WELCH, Chairman; NUGENT and DIAMOND, Commissioners

SUMMARY OF DECISION

By this Order, we grant approval of the First Amendment to the Customer Service Agreement (CSA) between Central Maine Power Company (CMP or the Company) and Mead Oxford Corporation (Mead) filed with the Commission on February 28, 2001. Further, we allow CMP to defer for future recovery the difference between the transmission and distribution prices that would have been paid under the existing CSA and the transmission and distribution prices that will be paid under this First Amendment to the CSA for the period April 1, 2001 through February 28, 2002 (or the date when stranded costs are reset, if later).

DISCUSSION AND DECISION

On February 28, 2001, CMP filed a proposed First Amendment to its CSA with Mead. Under this Amendment, Mead's payments were reduced over the remaining term of the contract (through December 2002), in exchange for extending the agreement (at a price slightly higher than the original contract price) for an additional three years. Moreover, the contract was conditioned, by its own language, on a finding by the Commission that CMP could defer for future recovery the difference between the T&D revenues under the original CSA and the T&D revenues under the First Amendment.

The Commission suspended the effective date of the special contract on March 26, 2001 in order to more closely review the CSA and the request for deferral. A case conference was held on April 9, 2001. In a response to an oral data request made during the conference, CMP filed additional material in support of allowing the deferral.

On May 3, 2001, the Commission issued its Order on Reconsideration in Docket 97-580 that requires CMP to reduce the distribution rates of certain CSAs by up to 0.8 ¢/kWh for the period April 15, 2001 through February 28, 2002. Because the Order did not allow the mitigation to cause distribution rates to go below 0, reducing the contract rates reduces the amount of mitigation associated with this customer. Therefore, the

NOTICE OF RIGHTS TO REVIEW OR APPEAL

5 M.R.S.A. § 9061 requires the Public Utilities Commission to give each party to an adjudicatory proceeding written notice of the party's rights to review or appeal of its decision made at the conclusion of the adjudicatory proceeding. The methods of review or appeal of PUC decisions at the conclusion of an adjudicatory proceeding are as follows:

1. Reconsideration of the Commission's Order may be requested under Section 1004 of the Commission's Rules of Practice and Procedure (65-407 C.M.R.110) within 20 days of the date of the Order by filing a petition with the Commission stating the grounds upon which reconsideration is sought.
2. Appeal of a final decision of the Commission may be taken to the Law Court by filing, within 30 days of the date of the Order, a Notice of Appeal with the Administrative Director of the Commission, pursuant to 35-A M.R.S.A. § 1320(1)-(4) and the Maine Rules of Appellate Procedure.
3. Additional court review of constitutional issues or issues involving the justness or reasonableness of rates may be had by the filing of an appeal with the Law Court, pursuant to 35-A M.R.S.A. § 1320(5).

Note: The attachment of this Notice to a document does not indicate the Commission's view that the particular document may be subject to review or appeal. Similarly, the failure of the Commission to attach a copy of this Notice to a document does not indicate the Commission's view that the document is not subject to review or appeal.